

REMARKS

Applicant respectfully requests further examination and reconsideration in view of the above amendments and the arguments set forth fully below. In the Office Action mailed March 9, 2005, claims 1, 3-9, 11, 13-16, 20, 22-25 and 27-39 have been rejected, claim 19 has been objected to and claim 17 has been allowed. In response, the applicant has submitted the following remarks and amended claims 1, 15, 19, 23 and 35. Accordingly, claims 1, 3-9, 11, 13-17, 19-20, 22-25, and 27-39 are still pending. Favorable reconsideration is respectfully requested in view of the amended claims and the remarks below.

Claim Objections

Within the Office Action, claim 19 has been objected to as being of improper dependent form for failing to further limit the subject matter of a previous claim. By the above amendment, the applicant has placed the claim in proper dependent form. The applicant respectfully submits that claim 19 is now in condition for allowance.

Rejections Under 35 U.S.C. § 103

Within the Office Action, claims 1, 6 and 15 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,150,921 to Werb et al. (hereinafter Werb) in view of U.S. Patent No. 5,425,032 to Shloss et al. (hereinafter Shloss). Within the Office Action, it is also stated that claim 17 is allowed because the prior art of record fails to teach or suggest the interrogation signal including a root-raised cosine waveform. The applicant has amended the independent claims 1 and 15 to include the interrogation signal having a root-raised cosine waveform. For at least these reasons, the independent claims 1 and 15 are allowable over the teachings of Werb, Shloss and their combination.

Claims 3-9, 11 and 13-14 are dependent upon the independent claim 1. As discussed above, the independent claim 1 is allowable over the teachings of Werb, Shloss and their combination. Accordingly, claims 3-8, 11 and 13-14 are also allowable as being dependent upon an allowable base claim.

Claims 16, 19-20 and 22 are dependent upon the independent claim 15. As discussed above, the independent claim 15 is allowable over the teachings of Werb, Shloss and their combination. Accordingly, claims 16, 19-20 and 22 are also allowable as being dependent upon an allowable base claim.

Within the Office Action, claims 23-24, 28, 35, 38 and 39 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,104,295 to Gaisser et al. (hereinafter Gaisser) in view of Werb and further in view of U.S. Patent No. 5,944,659 to Flack et al. (hereinafter Flack). As discussed above, claim 19 was amended to place the claim in proper dependent form, thus placing claim 19 in a condition for allowance over the prior art. The applicant has amended the independent claim 23 to include the limitation of claim 19. For at least these reasons, the independent claim 23 is allowable over the teachings of Gaisser, Werb, Flack and their combination. Likewise, the applicant has amended claim 35 to include an interrogation signal including a root-raised cosine waveform, as is taught in the allowed claim 17. For at least these reasons, the independent claim 35 is allowable over the teachings of Gaisser, Werb, Flack and their combination.

Claims 24-25 and 27-34 are dependent upon the independent claim 23. As discussed above, the independent claim 23 is allowable over the teachings of Gaisser, Werb, Flack and their combination. Accordingly, claims 24-25 and 27-34 are also allowable as being dependent upon an allowable base claim.

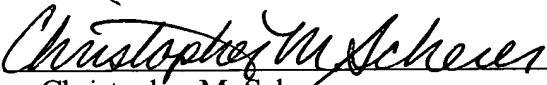
Appln. No. 09/824,921
Amendment dated April 7, 2005
Reply to Office Action of March 9, 2005

Claims 36-39 are dependent upon the independent claim 35. As discussed above, the independent claim 35 is allowable over the teachings of Gaisser, Werb, Flack and their combination. For at least these reasons, claims 36-39 are also allowable as being dependent upon an allowable base claim.

For at least these reasons, the applicant respectfully submits that all the claims are now in a condition for allowance, an allowance at an early date would be appreciated. Should the examiner have any questions or comments, they are encouraged to call the undersigned at (414) 271-7590 to discuss the same so that any outstanding issues can be expeditiously resolved.

Respectfully submitted,

ANDRUS, SCEALES, STARKE & SAWALL, LLP

By 
Christopher M. Scherer
Reg. No. 50,655

100 East Wisconsin Avenue, Suite 1100
Milwaukee, Wisconsin 53202
Telephone No: (414) 271-7590
Attorney Docket No.: 125165 (5024-00014)